FEDERAL REGISTER

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Washington, Saturday, September 10, 1955

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Loans, Purchases, and Other Operations

[1955 C. C. C. Grain Price Support Bulletin 1, Supp. 1, Amdt. 2, Barley]

PART 421—GRAINS AND RELATED COMMODITIES

SUBPART—1955-CROP BARLEY LOAN AND PURCHASE AGREEMENT PROGRAM

MISCELLANEOUS AMENDMENTS

The regulations issued by the Commodity Credit Corporation and the Commodity Stabilization Service published in 20 F. R. 3584, and 5096 containing the specific requirements for the 1955-Crop Barley Price Support Program are hereby amended as follows:

1. Section 421.1078 paragraph (c) is amended to make barley grading No. 5 eligible for price support so that the amended paragraph reads as follows:

§ 421.1078 *Eligible barley.* * * *

(c) The barley must be of any class grading No. 5 or better (or No. 5 Garlicky or better) except that Class III Western Barley shall have a test weight of not less than 40 pounds per bushel.

2. Section 421.1080 paragraph (c) is amended to provide for the determination of quantity for barley grading No. 5 so that the amended paragraph reads as follows:

§ 421.1080 *Determination of quantity.* * * *

(c) When the quantity of barley is determined by measurement, a bushel shall be 1.25 cubic feet of barley testing 48 pounds per bushel. The quantity determined shall be the following percentages of the quantity determined for 48-pound barley:

For barley testing:	Percent
48 pounds or over	100
47 pounds or over, but less than 48 pounds	98
46 pounds or over, but less than 47 pounds	96
45 pounds or over, but less than 46 pounds	94
44 pounds or over, but less than 45 pounds	92
43 pounds or over, but less than 44 pounds	90
42 pounds or over, but less than 43 pounds	88
41 pounds or over, but less than 42 pounds	85
40 pounds or over, but less than 41 pounds	83
39 pounds or over, but less than 40 pounds	81
38 pounds or over, but less than 39 pounds	79
37 pounds or over, but less than 38 pounds	77
36 pounds or over, but less than 37 pounds	75
35 pounds or over, but less than 36 pounds	73

3. Section 421.1083 (c) (1) is amended by adding the following to the list of basic county support rates.

MISSOURI

County	Rate (No. 2 or better)
Atchison	$0.98
Clark	.98
Clinton	.98
Grundy	.97
Mercer	.96
Schuyler	.97
Shelby	.99
Sullivan	.96

4. Section 421.1083 (d) is amended to provide a discount for barley grading No. 5 so that the amended paragraph reads as follows:

§ 421.1083 *Support rates.* * * *

(d) *Discounts.* The discount for barley which grades No. 3 shall be 3 cents per bushel, No. 4, 6 cents per bushel, and for No. 5, 15 cents per bushel. The support rates for "mixed barley" (Class IV) shall be 2 cents per bushel less than the support rates for barley of the Classes I, II, and III. In addition to any other applicable discounts, a discount of 10 cents per bushel shall be applied to barley grading "Garlicky"

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interprets or applies sec. 5, 62 Stat. 1072; secs. 301, 401, 63 Stat. 1053; 15 U. S. C. 714; 7 U. S. C. 1447, 1421)

Issued this 7th day of September 1955.

[SEAL] WALTER C. BERGER,
Acting Executive Vice President,
Commodity Credit Corporation.

[F. R. Doc. 55-7331; Filed, Sept. 9, 1955; 8:49 a. m.]

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Subchapter B—Export and Domestic Consumption Programs

PART 518—FRUITS AND BERRIES, DRIED AND PROCESSED

SUBPART—RAISIN EXPORT PAYMENT PROGRAM VMX 95b

STATEMENT OF POLICY

Under § 518.483 (g) of the Raisin Export Payment Program, exportation of raisins is required to be accomplished by 12 o'clock midnight, September 15, 1955, and it is provided that upon written request of the exporter stating substantial reasons therefor, the Administrator may, if he deems it desirable, grant extension of time for the accomplishment of exportation.

It has been determined that the substantial reasons for failure to export within the required time should consist of unforeseeable causes, without fault or negligence on the part of the exporter, and that no extension of time for the accomplishment of exportation will be granted unless the failure to export was due to such unforeseeable causes. Failure to obtain a commitment for sufficient cargo space from a steamship company will not be considered a failure due to unforeseeable causes without fault or negligence on the part of the exporter and, therefore, will not be considered as basis for extending time for exportation. Extensions of time will be considered in cases where the exporter has received a definite commitment from a steamship company for sufficient cargo space for loading raisins on board the ocean carrier by 12 o'clock midnight, September 15, 1955, and such commitment has not been met.

(Sec. 32, 49 Stat. 774, as amended; 7 U. S. C. 612c)

Issued this 7th day of September 1955.

[SEAL] S. R. SMITH,
Representative of the Secretary of Agriculture.

[F. R. Doc. 55–7330; Filed, Sept. 9, 1955; 8:49 a. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 25—FEDERAL EMPLOYEES' PAY REGULATIONS

SUBPART E—CONVERSION OF EMPLOYEES TOGETHER WITH THEIR POSITIONS FROM CLASSIFICATION ACT SCHEDULE TO PREVAILING WAGE SYSTEM, OR FROM PREVAILING WAGE SYSTEM TO CLASSIFICATION ACT SCHEDULE

A new Subpart E is added to Part 25 as set out below.

Sec.
25.501 Purpose.
25.502 Definitions.
25.503 Conversion from Classification Act to prevailing wage system.
25.504 Conversion from prevailing wage system to Classification Act schedule.
25.505 Continuation of saved compensation.

AUTHORITY: §§ 25.501 to 25.505 issued under sec. 113, 68 Stat. 1103; 5 U. S. C. 1123. Interpret or apply sec. 114, 68 Stat. 1108; 5 U. S. C. 1132. Other statutory authority interpreted or applied is cited to text in parentheses.

§ 25.501 *Purpose.* The purpose of the regulations in this subpart is to implement Title I, Public Law 763, 83d Congress, by prescribing the conditions for adjusting the rates of compensation when an employee and his position are converted from a Classification Act schedule to a prevailing wage system or, from a prevailing wage system to a Classification Act schedule.

§ 25.502 *Definitions.* As used in this subpart the term:

(a) "Conversion" means the change of an employee together with his position from a Classification Act schedule to a prevailing wage system, or from a prevailing wage system to a Classification Act schedule.

(b) "Classification Act" means the Classification Act of 1949, as amended.

(c) "Rate" means rate of basic compensation.

(d) "Aggregate rate" means the sum of an employee's basic rate of compensation and any applicable foreign or territorial post differential or territorial cost-of-living allowance, or differential payable for night work under the Federal Employees' Pay Act of 1945, as amended.

(e) "Overseas position" means a position in the Territories or possessions of the United States or in foreign areas.

§ 25.503 *Conversion from Classification Act to prevailing wage system.* (a) An employee converted from a Classification Act schedule to a prevailing wage system shall be entitled upon conversion to compensation at a rate under the prevailing wage system which is not less than his rate prior to such conversion. However, if no such rate exists in his prevailing wage position, he shall then be paid at a rate equal to his rate prior to such conversion.

(b) If serving in an overseas position where he was paid an overseas allowance or differential at the time of conversion, such employee shall, in addition to the rate he receives under paragraph (a) of this section, have saved to him the difference between his rate after conversion and his former aggregate rate.

(c) If converted while serving on a night shift, he may, in addition to the night rate he receives under paragraph (a) of this section, have saved to him the difference between his night rate after conversion and his former aggregate rate if his agency determines such action to be in the public interest.

(d) When applying paragraph (b) or (c) of this section, an employee shall in no case receive compensation in excess of his aggregate rate prior to conversion.

§ 25.504 *Conversion from prevailing wage system to Classification Act schedule.* (a) An employee converted from a prevailing wage system to a Classification Act schedule shall be entitled upon conversion to compensation at a scheduled rate in his grade which is not less than his rate prior to such conversion. If no such rate exists in his new grade, he shall then be paid a rate equal to his former rate.

(b) If serving in an overseas position at the time of conversion, such employee shall be paid at the lowest scheduled rate of his Classification Act grade which results in an aggregate rate not less than his rate prior to conversion. If, however, the maximum scheduled rate of the grade results in an aggregate rate less than his rate prior to conversion, he shall then be paid a rate equal to his former rate.

(c) If serving a night shift at the time of conversion, such employee shall be paid at the lowest scheduled rate of his Classification Act grade which results in an aggregate rate not less than his rate prior to conversion. However, if the maximum scheduled rate of the grade results in an aggregate rate less than his rate prior to conversion, he shall be paid a rate equal to his former prevailing night rate.

§ 25.505 *Continuation of saved compensation.* (a) An employee whose position has been converted shall continue to receive compensation in accordance with this subpart so long as he occupies the same position, until he becomes entitled under the normal operations of the pay system to which he has been changed to compensation equal to that which results from the application of the regulations in this subpart.

(b) If the employee moves between Classification Act positions after the initial conversion, he may continue to receive compensation under this subpart, at the discretion of the employing agency, if he would have been entitled to the same or greater total compensation had he occupied the new position at the time of the initial conversion.

(Sec. 802, 63 Stat. 969; 5 U. S. C. 1132)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 55-7354; Filed, Sept. 9, 1955; 8:50 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Valencia Orange Reg. 53]

PART 922—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

LIMITATION OF HANDLING

§ 922.353 *Valencia Orange Regulation 53.*—(a) *Findings.* (1) Pursuant to Order No. 22 (19 F. R. 1741), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective March 31, 1954, under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and upon the basis of the recommendation and information submitted by the Valencia Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Valencia Orange Administrative Committee held an open meeting on September 8, 1955, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective date hereof.

(b) *Order.* (1) The quantity of Valencia oranges grown in Arizona and

designated part of California which may be handled during the period beginning at 12:01 a. m., P. s. t., September 11, 1955, and ending at 12:01 a. m., P. s. t., September 18, 1955, is hereby fixed as follows:

(i) District 1. Unlimited movement;

(ii) District 2: 462,000 boxes;

(iii) District 3: Unlimited movement.

(2) Valencia oranges handled pursuant to the provisions of this section shall be subject to any size restrictions applicable thereto which have heretofore been issued on the handling of such oranges and which are effective during the period specified herein.

(3) As used in this section, "handled," "handler," "boxes," "District 1," "District 2," and "District 3," shall have the same meaning as when used in said order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: September 9, 1955.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 55-7384; Filed, Sept. 9, 1955; 11:15 a. m.]

[Grapefruit Reg. 226]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.742 *Grapefruit Regulation 226*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933) regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than September 12, 1955. Shipments of grapefruit, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until September 12, 1955; the recommendation and supporting information for continued regulation subsequent to September 11, 1955, was promptly submitted to the Department after an open meeting of the Growers' Administrative Committee on September 6; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order* (1) During the period beginning at 12:01 a. m., e. s. t., September 12, 1955, and ending at 12:01 a. m., e. s. t., September 26, 1955, no handler shall ship any grapefruit, grown in the State of Florida, unless such fruit is mature and meets the additional requirements of this subparagraph:

(i) Such grapefruit grades at least U. S. No. 2 Russet;

(ii) Any such grapefruit that is seeded grapefruit is of a size not smaller than a size that will pack 80 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box; and

(iii) Any such grapefruit that is seedless grapefruit is of a size not smaller than a size that will pack 112 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box.

(2) As used herein, "handler," "ship," and "Growers Administrative Committee" shall have the same meaning as when used in said amended marketing agreement and order; the terms "U. S. No. 2 Russet," "standard pack," and "standard nailed box" shall have the same meaning as when used in the revised United States Standards for Florida Grapefruit (§§ 51.750 to 51.790 of this title) and the term "mature" shall have the same meaning as set forth in § 601.16 Florida Statutes, Chapters 26492 and 28090, known as the Florida Citrus Code of 1949, as supplemented by § 601.17 (Chapters 25149 and 28090) and also by § 601.18, as amended on June 2, 1955 (Chapter 29760)

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: September 7, 1955.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 55-7329; Filed, Sept. 9, 1955; 8:49 a. m.]

[Lemon Reg. 606]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATIONS OF SHIPMENTS

§ 953.713 *Lemon Regulation 606*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 19 F. R. 7175; 20 F. R. 2913), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on September 7, 1955, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., September 11, 1955, and ending at 12:01 a. m., P. s. t., Sep-

tember 13, 1955, is hereby fixed as follows:

(i) District 1. Unlimited movement;

(ii) District 2: 300 carloads;

(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "carloads," "District 1," "District 2," and "District 3" shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: September 8, 1955.

[SEAL] FLOYD F. HEDLUND,
Acting Director Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 55-7375; Filed, Sept. 9, 1955; 8:52 a. m.]

PART 984—HANDLING OF WALNUTS GROWN IN CALIFORNIA, OREGON, AND WASHINGTON

SUBPART—ADMINISTRATIVE RULES AND REGULATIONS

REPORTS; MISCELLANEOUS PROVISIONS

Pursuant to authority contained in Marketing Agreement No. 105, as amended, and Order No. 84, as amended (19 F R. 4214; 20 F. R. 5387) effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) the Walnut Control Board, the administrative agency under said amended program, has recommended the adoption of the amendments hereinafter set forth to the Administrative Rules and Regulations (19 F R. 7332) On the basis of the aforesaid recommendation, and other available information, it is hereby found and determined that the placing in effect of said amendments are necessary and appropriate in connection with the administration of the amended agreement and order and that such action would tend to effectuate the declared policy of the act.

Therefore, the Administrative Rules and Regulations (19 F R. 7332) are hereby amended as follows:

1. Delete the present provisions of § 984.420 and substitute therefor the following:

§ 984.420 *Reports of handler carryovers.* Reports of merchantable and shelled walnut carryovers as of August 1 and January 1 of each marketing year, covering information specified in § 984.68, shall be submitted to the Control Board on or before August 15 and January 31, respectively, of each marketing year on WCB Forms Nos. 4 and 5, respectively.

2. Delete the present provisions of § 984.423 and substitute therefor the following:

§ 984.423 *Reports of shelled walnuts handled*—(a) *Reports of shelled walnuts shipped.* Reports of shelled walnuts shipped shall be submitted to the Control Board on WCB Form 9 not later than the 5th day of each month with respect to shelled walnuts shipped during the preceding month. Such reports shall include all shipments to points outside the area of production and shipments to buyers within the area of production, except shipments to other handlers, and shall show, with respect to the shelled walnuts covered thereby: (1) The crop year of production; (2) the total net weight; and (3) whether they were shipped into domestic or export channels. If a handler makes no shipments during a reporting period, he shall submit a report marked "no shipments" If a handler has completed his shipments for the marketing year, he shall so indicate by marketing "completed" on his final report and no further reports shall be required of such handler during such marketing year unless he acquires additional shelled walnuts for handling.

3. Delete the present provisions of § 984.425 and substitute therefor the following:

§ 934.425 *Reports of interstate handling within the area of production*—(a) *Report of shipper.* Reports of each shipment of walnuts, within the area of production, from California to Oregon or Washington, from Oregon to Washington, and from Oregon or Washington to California for sale or delivery to a handler shall be made to the Control Board by the shipper at time of shipment pursuant to the provisions of § 984.73, on WCB Form No. 14 (revised)

(b) *Report of consignee.* Reports of each receipt of shipment of walnuts pursuant to the provisions of § 984.73 shall be made, immediately upon receipt of such shipment, to the Control Board on WCB Form No. 15 (revised). Such reports shall contain a certification by the consignee to the United States Department of Agriculture and the Walnut Control Board that he will handle such walnuts in accordance with the regulations established pursuant to the provisions of § 984.48 or § 984.53.

4. Delete the present provisions of § 984.426 and substitute therefor the following:

§ 984.426 *Report of intention to handle shelled walnuts.* Any handler who, pursuant to the provisions of § 984.54 (b) desires to declare his intention to handle shelled walnuts shall make such declaration to the Control Board on or before July 31 of each marketing year, on WCB Form No. 10, and shall show, with respect to the walnuts covered thereby: (1) The net weight of the shelled walnuts intended to be handled; (2) the location or locations at which such shelled walnuts are stored; and (3) the name of the handler who owns such walnuts.

5. Delete the present provisions of § 984.427 and substitute therefor the following:

§ 984.427 *Reports of receipt of merchantable restricted walnuts for shelling.* Pursuant to the provisions of § 934.74, reports of merchantable restricted walnuts received by an authorized sheller for shelling shall be reported to the Control Board on WCB Form No. 19 and reports of the actual disposition of such walnuts shall be made to the Control Board on WCB Form No. 13 within 15 days after disposition.

6. Delete the present provisions of § 984.432 and substitute therefor the following:

§ 984.432 *Exemptions from regulations*—(a) *Walnuts eligible for exemption.* Upon obtaining approval of the Control Board, any walnut producer may sell walnuts of his own production, shelled or unshelled, directly to consumers free of the requirements of §§ 984.44, 984.49, 984.54 and 984.66 under the following types of exemptions:

(1) *Location exemption.* Any quantity if sold directly to consumers at roadside stands and farmers markets at the locations specifically approved by the Board;

(2) *Maximum quantity exemption.* Not more than 500 pounds of unshelled walnuts or the equivalent in shelled walnuts during any marketing year directly to consumers in the area of production at locations other than those specifically approved by the Control Board;

(3) *Parcel Post or express shipment exemption.* Shipments by Parcel Post or express directly to consumers: *Provided,* That no shipment of walnuts to any one consumer in any one calendar day shall exceed 10 pounds of unshelled walnuts, or the equivalent in shelled walnuts.

(b) *Applications to be filed.* Applications for exemption from regulation shall be filed with the Control Board on WCB Form No. 25 at the beginning of each marketing year. The application shall show: (1) The name and address of the producer; (2) the location of his walnut orchard; (3) the estimated quantity of shelled or unshelled walnuts, or both, which will be sold during the marketing year; (4) type of exemption or exemptions requested; and (5) the location at which the producer desires to sell walnuts to consumers. Such application shall include a certification to the United States Department of Agriculture and to the Control Board that applicant will not, without regard to established regulations, sell more than the quantity of walnuts for which the exemption is granted, or will not sell walnuts at other than approved locations if the exemption is granted pursuant to paragraph (a) (1) of this section, and that all walnuts sold without regard to established regulations will be from his own production and sold directly to consumers. The producer shall be notified in writing of the action taken by the Board on his application. At the end of the particular marketing year, or upon completion by him of all sales during such year, whichever occurs first, the producer shall report to the Control Board on WCB Form No. 26 the quantities sold under each exemption. No exemption shall apply to any producer who sells any walnuts other than those produced by him or to sales of shelled or unshelled walnuts at or from a packing or shelling plant. For purposes of this section the shelling ratio for unshelled walnuts shall be 40 percent.

(c) *Green walnuts.* Walnuts which are green and which are so immature

that they cannot be used for drying and sale as dried walnuts may be shipped without regard to the provisions of this part.

7. Add two new sections following § 984.432 to read as follows:

§ 984.433 *Exclusion from surplus credit of walnuts exported.* Any handler who does not wish to have merchantable restricted or surplus walnuts exported by him credited against his surplus obligation shall notify the Control Board on WCB Form No. 16 prior to July 31 of each marketing year. Such notification shall show, with respect to the walnuts covered thereby: (1) The name of the export agent; (2) the number or numbers of Export Report Form C on which the export sales were reported to the Control Board; (3) the lot number or numbers; and (4) the quantity of walnuts of each lot.

§ 984.434 *Transfer of surplus export credits.* Any handler who desires to transfer surplus export credits to another handler shall submit a request to the Control Board for such transfer on WCB Form No. 17. The request shall show: (1) Name of the handler requesting the transfer; (2) name of the handler to whom the transfer is to be made; and (3) the net kernel weight of the surplus credit to be transferred. Prior to submission of such form to the Control Board, it shall be endorsed by the handler to whom the export credit is to be transferred.

It is hereby further found and determined that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule making procedure, or to postpone the effective date of the amendments to the administrative rules and regulations prescribed by this document later than the date of its publication in the FEDERAL REGISTER. The amendments further amending the agreement and order, as amended, made effective in July 1955, were designed primarily to facilitate administration of the amended program and these amendments to the administrative rules and regulations, which have been recommended by the Walnut Control Board, the industry agency for the operation of this program, provide handlers with necessary specific instructions as to the procedures to be followed and their responsibilities under these further amendments to the program. The handling of walnuts during the current marketing year, 1955–56, has begun and handlers should be informed of these specific instructions as soon as possible.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Issued at Washington, D. C., this 6th day of September 1955 to become effective upon publication in the FEDERAL REGISTER.

[SEAL] F R. BURKE,
Acting Deputy Administrator Marketing Services.

[F. R. Doc. 55–7321; Filed, Sept. 9, 1955; 8:47 a. m.]

[Lime Order 1, Amdt. 2]

PART 1001—LIMES GROWN IN FLORIDA

QUALITY AND SIZE REGULATION

Findings. (1) Pursuant to the marketing agreement and Order No. 101 (7 CFR Part 1001, 20 F R. 4179) regulating the handling of limes grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq., 68 Stat. 906, 1047) and upon the basis of the recommendations of the Florida Lime Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of limes, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REDERAL (60 Stat. 237: 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than September 12, 1955. Shipments of designated varieties of Florida limes are currently subject to quality regulation pursuant to Lime Order 1, as amended (§ 1001.301, 20 F R. 4711, 4897), and, unless sooner modified or terminated, will continue to be so regulated until April 1, 1956; determinations as to the need for, and extent of, continued regulation of Florida lime shipments must await the development of the crop and the availability of information on the demand for such fruit; the recommendation and supporting information for continued regulation of lime shipments subsequent to September 11, 1955, and in the manner herein provided, was promptly submitted to the Department after an open meeting of the Florida Lime Administrative Committee on September 6; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this amendment, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of Florida limes; it is necessary, in order to effectuate the declared policy of the act, to make this amendment effective during the period hereinafter set forth; and compliance with this amendment will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

It is, therefore, ordered that the provisions in paragraph (b) of § 1001.301 (Lime Order 1, as amended; 20 F R. 4711, 4897) are hereby amended to read as follows:

(b) *Order* (1) During the period beginning at 12:01 a. m., e. s. t., September 12, 1955, and ending at 12:01 a. m., e. s. t., April 1, 1956, no handler shall handle:

(i) Any limes, including the group known as true limes (also known as Mexican, West Indian, and Key limes and by other synonyms) and the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) grown in the State of Florida, except the area West of the Suwannee River, which do not grade at least U. S. No. 2: *Provided,* That (*a*) a tolerance of 15 percent (including the tolerances provided in such grade) shall be allowed for limes not meeting the requirements of such grade; and (*b*) the requirement of such grade that the limes shall have good green color shall be applicable only to limes known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties)

(ii) Any container of limes, grown in the State of Florida, except the area West of the Suwannee River, of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) which contains more than five percent, by count, of limes smaller than 1⅝ inches in diameter ("diameter") to be measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit), unless the limes in such container have an average juice content of not less than 46 percent, by volume.

(2) As used in this section "handler" and "handle" shall have the same meaning as when used in said marketing agreement and order; and the terms "U. S. No. 2" and "good green color" shall have the same meaning as when used in the United States Standards for Persian (Tahiti) Limes, as recodified (§ 51.1001 of this title; 18 F R. 7107)

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: September 8, 1955.

FLOYD F HEDLUND,
Acting Director Fruit and Vegetable Division Agricultural Marketing Service.

[F. R. Doc. 55–7358; Filed, Sept. 9, 1955; 8:50 a. m.]

TITLE 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 50—CONTROL OF FACILITIES FOR PRODUCTION OF FISSIONABLE MATERIAL

SCHEDULE B: CLASS II FACILITIES

Pursuant to the Atomic Energy Act of 1954 (Public Law 703, 83d Cong., 2d Sess., 68 Stat. 919) and section 4 of the Administrative Procedure Act of 1946, as amended, (Public Law 404, 79th Cong., 2d Sess.) amendments to Title 10 Part 50, Code of Federal Regulations, entitled "Control of Facilities for the Production

of Fissionable Material" effective November 20, 1947, and published in Volume 12, page 7651 et seq. of the FEDERAL REGISTER, on November 18, 1947, are set forth hereunder to be effective September 26, 1955.

1. Amend § 50.71 to read as follows:

§ 50.71 *Schedule B: Class II facilities.* (See §§ 50.2 and 50.20) None.

2. Delete § 50.72.

(Sec. 161, 68 Stat. 948; 42 U. S. C. 2201)

Dated at Washington, D. C., this 31st day of August 1955.

K. E. FIELDS,
General Manager

[F. R. Doc. 55-7324; Filed, Sept. 9, 1955; 8:47 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter A—Civil Air Regulations

[Supp. 6]

PART 1—CERTIFICATION, IDENTIFICATION AND MARKING OF AIRCRAFT AND RELATED PRODUCTS

GENERAL AUTHORIZATION TO CONDUCT FERRY FLIGHTS WITH ONE ENGINE INOPERATIVE

[Supp. 26]

PART 4b—AIRPLANE AIRWORTHINESS; TRANSPORT CATEGORIES

MISCELLANEOUS AMENDMENTS

This supplement sets forth CAA rules which establish conditions under which the CAA Approved Airplane Flight Manual constitutes a general authorization to an air carrier to conduct ferry flights of four-engine airplanes with one engine inoperative for the purpose of making repairs to that engine.

The proposed rules were published on July 1, 1955, in 20 F. R. 4694. Interested persons were afforded an opportunity to submit written views, data or arguments. Consideration has been given to all relevant comments presented.

§ 1.76-4 *Authorization for air carrier ferry flight of a four-engine Airplane with one engine inoperative (CAA rules which apply to § 1.76 (c))*—(a) *General authorization.* An air carrier is authorized to conduct ferry flights of a four-engine airplane with one engine inoperative, to a base where repairs are to be made to the inoperative engine, in accordance with the following conditions and limitations:

(1) The airplane model has been test flown and found satisfactory for safe flight in accordance with the flight test requirements of paragraph (b) of this section.

(2) The CAA Approved Airplane Flight Manual contains the performance data specified in paragraph (c) of this section and the flight is conducted in accordance with such data.

(3) The air carrier's operations manual contains operating procedures specified in paragraph (d) of this section and the flight is conducted in accordance with such procedures.

(4) No person other than required members of the flight crew shall be carried on board the airplane during such flight.

(5) No flight crew member shall be used unless he is thoroughly familiar with the operating procedures for one-engine-inoperative ferry flights specified in the air carrier's operations manual and the limitations and performance information set forth in the CAA Approved Airplane Flight Manual.

(b) *Flight tests.* The performance of the airplane with one engine inoperative shall be determined by flight test in accordance with the following:

(1) A speed shall be chosen, but in no case shall it be less than $1.3V_{S1}$, at which the airplane is satisfactorily controllable in a climb with the critical engine inoperative and its propeller removed or in a configuration desired by the applicant, and all other engines operating at the maximum power determined in subparagraph (3) of this paragraph.

(2) The distance to accelerate to the speed specified in subparagraph (1) of this paragraph and climb to 50 feet shall be determined with the landing gear extended, the critical engine inoperative and its propeller removed or in a configuration desired by the applicant, and the other engines operating at not more than the power specified in subparagraph (3) of this paragraph.

(3) The procedures to be used during takeoff, flight, and landing shall be established, i. e., the approximate trim settings, the method of power application, maximum power and speed.

(4) The performance shall be determined at a maximum weight not to exceed that which will permit a rate of climb of at least 400 feet per minute in the en route configuration specified in § 4b.120 (c) of this subchapter at an altitude of 5,000 feet.

(c) *CAA approved airplane flight manual.* The CAA Approved Airplane Flight Manual shall contain the following performance data determined in accordance with paragraph (b) of this section covering at least the following variables:

(1) Maximum weight.
(2) C. g. range.
(3) Configuration of the inoperative propeller.
(4) Runway length for takeoff.
(5) Altitude range.

(d) *Air carrier's operations manual.* Operating procedures shall be established in the air carrier's operations manual which will provide for the safe operation of the airplane, with specific provisions for operations from airports where runways may require a takeoff or approach over populated areas. No airplane shall be taken off where the initial climb is made over thickly populated areas. VFR weather conditions shall exist at the airport of takeoff and at the intended destination. The manual shall also include procedures for the inspection of the operating condition of the remaining engines.

Section 4b.16-3 (a) establishes a cross-reference to § 1.76-4 for information purposes to alert persons responsible for aircraft certification to the permissibility of including three-engine takeoffs as a part of the aircraft certification flight test program.

1. Section 4b.16-3 as published in 19 F. R. 4447, July 20, 1954, is amended by adding a new first sentence as follows:

§ 4b.16-3 *Additional flight tests (CAA policies which apply to § 4b.16 (b))*—(a) *General.* (1) At the option of the applicant, the flight tests specified in Civil Aeronautics Manual 1.76-4 of this subchapter for the ferry flight of a four-engine airplane with one engine inoperative may be conducted during the flight tests for type certification. * * *

2. Section 4b.612-1 (a) as it appeared in 20 F. R. 2280, April 8, 1955, is corrected by changing the second sentence to read as follows: "The last sentence of § 4b.612-1 (a) (3) reading, 'The reference and airplane's airspeed indicators should be calibrated instruments.' is deleted."

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply secs. 601, 603, 52 Stat. 1007, 1009, as amended; 49 U. S. C. 551, 553)

These supplements shall become effective September 30, 1955.

[SEAL] S. A. KELP,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 55-7328; Filed, Sept. 9, 1955; 8:48 a. m.]

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 131]

PART 608—RESTRICTED AREAS

ALTERATION

The restricted area alteration appearing hereinafter has been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Panel and is adopted to become effective when indicated in order to promote safety of the flying public. Since a military function of the United States is involved, compliance with the notice, procedure and effective date provisions of Section 4 of the Administrative Procedure Act is not required.

Part 608 is amended as follows:

In § 608.36, the Tonopah, Nevada area (R-271 formerly D-271) amended on October 15, 1953, in 18 F. R. 6559, is further amended by changing the "Description by geographical coordinates" column to read: "Northwest Area: Beginning at latitude 37°53'00" longitude 116°11'00"; thence due south to latitude 37°42'00", longitude 116°11'00"; thence due east to latitude 37°42'00" longitude 115°53'00"; thence due south to latitude 37°33'00" longitude 115°53'00"; thence due east to latitude 37°33'00" longitude 115°48'00"; thence due south to latitude 37°17'00" longitude 115°48'00"; thence due west to latitude 37°17'00" longitude 115°56'00"; thence due south to latitude 37°16'00" longitude 115°56'00"; thence due west to latitude 37°16'00" longitude 116°13'00" thence due south to latitude 36°41'00" longitude 116°13'00"; thence due west to latitude 36°41'00" longitude 116°26'30"; thence due north to latitude

36°51'00" longitude 116°26'30"; thence due west to latitude 36°51'00" longitude 116°33'30"; thence northwest to latitude 37°33'00" longitude 117°02'00" thence northerly to latitude 37°53'00", longitude 117°01'00" thence due east to point of beginning. Southeast Area: Beginning at latitude 37°17'00" longitude 115°18'00" thence due south to latitude 36°26'00" longitude 115°18'00" thence due west to latitude 36°26'00" longitude 115°23'00" thence due northwest to latitude 36°35'00", longitude 115°37'00" thence due west to latitude 36°35'00" longitude 115°42'00" thence due north to latitude 36°41'00" longitude 115°42'00" thence due west to latitude 36°41'00" longitude 115°56'00" thence due north to latitude 37°12'00" longitude 115°56'00" thence due east to latitude 37°12'00" longitude 115°45'00" thence due north to latitude 37°17'00" longitude 115°45'00" thence due east to point of beginning."

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective on October 4, 1955.

[SEAL] S. A. KEMP,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 55-7327; Filed, Sept. 9, 1955; 8:48 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

[Treasury Dept. Circ. 55, Revised]

PART 100—EXCHANGE OF PAPER CURRENCY AND COIN

The Secretary of the Treasury finds that it is necessary in order to conform to organization changes, to clarify definitions and to make charges conform to costs, to revise the regulations concerning the exchange of paper currency and coin. Since such changes undertake only to clarify the present regulations and conform them to current conditions, he also finds that notice and public procedure thereon is impracticable, unnecessary, and contrary to the public interest. Accordingly, Part 100, Chapter I, Title 31 of the Code of Federal Regulations of the United States of America (appearing also as Treasury Department Circular No. 55, Revised, dated October 25, 1937, as amended) is hereby revised to read as follows:

Sec.

AUTHORITY: §§ 100.2 to 100.21 issued under sec. 1, 49 Stat. 938; 31 U. S. C. 773a.

CROSS REFERENCE: For regulations of the Federal Reserve system, see 12 CFR Chapter II.

§ 100.2 *Scope of regulations; transactions effected through Federal Reserve banks and branches; distribution of coin and currencies.* The regulations in this part govern the exchange of the coin and paper currency of the United States (including national bank notes and Federal Reserve bank notes in process of retirement and Federal Reserve notes) Under authorization in the act approved May 29, 1920, 41 Stat. 655 (31 U. S. C. 476) the Secretary of the Treasury transferred to the Federal Reserve banks and branches the duties and functions performed by the former Assistant Treasurers of the United States in connection with the exchange of paper currency and coin of the United States. Except for the duties in this respect to be performed by the Treasurer of the United States and the Director of the Mint as may be indicated from time to time by the Secretary of the Treasury exchanges of the paper currency and coin of the United States and the distribution and replacement thereof will, so far as practicable, be effected through the Federal Reserve banks and branches. Federal Reserve banks and branches have been instructed by the Treasury to make an equitable and impartial distribution of available supplies of currency and coin in all cases, and applications therefor should be made to the Federal Reserve bank or branch of such bank located in the same district with the applicant. Distribution of new coins will not be made so long as there are available sufficient stocks of circulated coins in the Federal Reserve banks and branches or in the Treasury offices.

SUBPART A—IN GENERAL

§ 100.3 *Lawfully held coins and currencies in general.* The official agencies of the Treasury Department will continue to exchange lawfully held coins and currencies of the United States, dollar for dollar, for other coins or currencies which may be lawfully acquired and are legal tender for public and private debts.

§ 100.4 *Gold coin and gold certificates in general.* Gold coin and gold certificates are exchanged only as provided in the acts, orders, regulations, and instructions relating to gold and gold certificates.

SUBPART B—EXCHANGE OF MUTILATED PAPER CURRENCY

§ 100.5 *Mutilated paper* Lawfully held paper currency of the United States (including national bank notes and Federal Reserve bank notes in process of retirement and Federal Reserve notes) when not so mutilated that less than three-fifths of the original proportions remain, will be exchanged at its face amount. Such lawfully held paper currency, when so mutilated that less than three-fifths but clearly more than two-fifths of the original proportions remain, is exchangeable only by the Treasurer of the United States, at one-half the face amount of the whole note or certificate: *Provided, however,* That it may be exchanged at face amount upon compliance with the provisions of section 100.6. Fragments not clearly more than two-fifths are not exchangeable, unless accompanied by the evidence required in the following section.

§ 100.6 *Evidence required in connection with mutilated paper* Fragments less than three-fifths, when identifiable as to denomination, kind and genuineness, are exchangeable at the face amount of the whole note, only by the Treasurer of the United States, when accompanied by satisfactory proof that the missing portions have been totally destroyed. This proof should be in the form of an affidavit from the owner setting forth that he is the owner and the cause and manner of destruction. If, however, the owner cannot of his own knowledge state the facts as to destruction, an affidavit or affidavits from any other person or persons having knowledge of the facts will also be required.

§ 100.7 *Affidavits.* The affidavits must be subscribed and sworn to before a notary public or other officer authorized by law to administer oaths. Unless authenticated by the official impression seal of the officer, the affidavit should be accompanied by a certificate from the proper official, showing that the officer was in commission on the date of the acknowledgment. The date when the officer's commission expires should appear in any event. Should any affiant sign by mark (X) his signature must be witnessed by two persons besides the acknowledging officer, and the places of residence of the witnesses to the mark must be stated.

§ 100.8 *Certificates relative to affiants.* In addition to the affidavits, there should be furnished a certificate, to be executed, if possible, by an officer of an incorporated bank or trust company or by a public officer of the United States, setting forth that that officer has read the affidavits and that the affiants are reputable persons in the community and

are, in the judgment of the officer, worthy of belief.

§ 100.9 *Affidavit and certificate forms; totally destroyed paper; discretion of Treasurer of the United States.* Blank forms for affidavits or certificates are not furnished. No relief is granted on account of currency totally destroyed. The Treasurer of the United States will exercise such discretion under this subpart as may seem to him needful to protect the United States from fraud.

SUBPART C—EXCHANGE OF MUTILATED COIN

§ 100.10 *Mutilated coin; in general.* Except as hereinafter provided, mutilated silver and minor coins are not accepted at their face amount but at their bullion or metal value. Silver coins are mutilated when punched, clipped, plugged, fused together, or when so defaced as to be not readily and clearly identifiable as to genuineness and denomination. Minor coins are mutilated when punched, clipped, plugged, fused together, or so defaced as not to be readily identifiable. Coins containing lead, solder or other substances which will render them unsuitable for coinage metal will not be accepted by the mints. Silver and minor coins that are bent or twisted out of shape, but are readily and clearly identifiable as to genuineness, and coins that have been reduced in weight by natural abrasion only, are not regarded as mutilated, and will be received at face amount.

§ 100.11 *Coins altered to render them available for use as other denominations.* Silver and minor coins which have merely been so altered as to render them available for use as coins of another denomination will be received at face amount, except that such minor coins must first be certified to by a coinage mint as being genuine and otherwise eligible for receipt at such amount. A charge of $1.00 per thousand coins or fraction thereof shall be made for such coins received and examined by such mint for certification, regardless of the number of coins in any deposit certified to as aforesaid, with a minimum charge of $1.50 for each such deposit received and examined by it. Such coins as are not certified by such mint to be eligible for receipt at their face amount shall be accepted by such mint at their bullion or metal value if otherwise acceptable under this regulation.

§ 100.12 *Where mutilated coins should be transmitted.* Mutilated coins shall not be transmitted to the Federal Reserve banks or branches or to the Treasurer of the United States but should be forwarded to such coinage mints as hereinafter provided, for sale at their bullion or metal value.

§ 100.13 *Criminal penalties.* Relative to the criminal penalties connected with the defacement or mutilation of United States coins, see United States Code, title 18, section 331.

§ 100.14 *Standard silver dollars and subsidiary silver coins.* Mutilated silver coins will be purchased at the mints in Philadelphia, Pennsylvania, and Denver, Colorado, at the price fixed from time to time by the Director of the Mint, which is approximately the market price of silver bullion on the date purchased, and should be transmitted to the mints at the expense and risk of the owner (charges prepaid). Mutilated silver coins shall not be commingled with 1-cent and 5-cent coins in the shipment.

§ 100.15 *Minor coins.* Mutilated minor coins (1-cent bronze and 5-cent nickel) will be purchased at the mints in Philadelphia, and Denver, in lots of not less than 5 pounds of each kind, at a price (the approximate value as metal) fixed from time to time by the Director of the Mint, and should be transmitted to the mints at the expense and risk of the owner (charges prepaid). 1-cent and 5-cent coins in the same shipment shall be segregated by denomination.

SUBPART D—OTHER INFORMATION

§ 100.16 *Shipments of coins.* Coins, unfit for further circulation, forwarded for redempton at face value must be shipped at the expense and risk of the owner. Shipments of silver or minor coins for redemption at face value should be sorted by denomination into packages in sums or multiples of $20. Not more than $1,000 in any silver coin, $200 in 5-cent pieces, or $50 in 1-cent pieces, should be shipped in one bag or package.

§ 100.17 *Exchange of paper and coin to be handled through Federal Reserve banks and branches.* By taking advantage of the facilities provided at the Federal Reserve banks and branches for the exchange of paper currency and coin, applicants are enabled to have such transactions effected within a shorter time and at a lower cost for transportation charges, as a general rule, than would be possible through the Treasurer of the United States at Washington. So far as practicable, therefore, such transactions should be handled through the Federal Reserve banks and branches.

§ 100.18 *Location of Federal Reserve banks and branches.* The Federal Reserve banks and branches are located in Boston, Mass., New York, N. Y., Buffalo, N. Y., Philadelphia, Pa., Cleveland, Ohio; Cincinnati, Ohio; Pittsburgh, Pa., Richmond, Va., Baltimore, Md., Charlotte, N. C., Atlanta, Ga., New Orleans, La., Jacksonville, Fla., Birmingham, Ala., Nashville, Tenn., Chicago, Ill., Detroit, Mich., St. Louis, Mo., Louisville, Ky., Memphis, Tenn., Little Rock, Ark., Minneapolis, Minn., Helena, Mont., Kansas City, Mo., Omaha, Nebr., Denver, Colo., Oklahoma City, Okla., Dallas, Tex., El Paso, Tex., Houston, Tex., San Antonio, Tex., San Francisco, Calif., Los Angeles, Calif., Portland, Oreg., Salt Lake City, Utah; and Seattle, Wash.

§ 100.19 *Counterfeit notes to be marked, "redemption" of notes wrongfully so marked.* The act of June 30, 1876 (19 Stat. 64; 31 U. S. C. 424), provides that all United States officers charged with the receipt or disbursement of public moneys, and all officers of national banks, shall stamp or write in plain letters the word "counterfeit", "altered" or "worthless" upon all fraudulent notes issued in the form of, and intended to circulate as money, which shall be presented at their places of business; and if such officers shall wrongfully stamp any genuine note of the United States, or of the national banks, they shall, upon presentation, "redeem" such notes at the face amount thereof.

§ 100.20 *Disposition of counterfeit notes and coins.* All counterfeit notes and coins found in remittances are canceled and delivered to the Secret Service Division of the Treasury Department or to the nearest local office of that division, a receipt for the same being forwarded to the sender. Communications with respect thereto should be addressed to the Chief, Secret Service Division, Treasury Department, Washington 25, D. C.

This revision shall become effective November 1, 1955.

[SEAL] A. N. OVERBY,
Acting Secretary of the Treasury.

[F. R. Doc. 55-7326; Filed, Sept. 9, 1955; 8:48 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter B—Claims and Accounts

PART 536—CLAIMS AGAINST THE UNITED STATES

PART 537—CLAIMS IN FAVOR OF THE UNITED STATES

MARINE CASUALTIES

Sections 536.44 and 537.6 are revoked and the following substituted therefor:

§ 536.44 *Marine casualties; claims—*
(a) *Purpose.* This section provides instructions for the prompt settlement of certain maritime claims, as defined in this section.

(b) *Definitions.* For the purpose of this section the following definitions will apply:

(1) *Marine casualty.* (i) Any collision, grounding, fire, explosion, or other accident involving an Army vessel which results in loss of life, or bodily injury, damage to or loss of vessel, cargo, or other property, or which threatens substantial delay to any vessel.

(ii) Any accident or incident through which a vessel (or other floating equipment, e. g., a raft) damages a pier, dock, wharf, quay, or other waterfront property of the Department of the Army, or for which it may have assumed, by contract or otherwise, any obligation to respond in damages.

(iii) Any accident or incident which may reasonably be expected to result in a claim in favor of or against the Department of the Army for towage or salvage or services rendered in connection with the salvage of maritime property or for general average contribution.

(iv) Any accident or incident occurring in the course of loading or discharging a vessel by which damage is done to the vessel and/or its cargo by Army stevedores (military personnel or civilian employees) or by other stevedores while rendering services pursuant to a contract with the Army.

(v) Any accident or incident occurring in the course of loading or discharg-

ing a vessel by Army personnel (military personnel or civilian employees) or at an Army installation which results in bodily injury to any person.

(vi) Any accident or incident occurring in the course of loading or discharging a Government-operated vessel by commercial stevedores while acting under a contract with the Army which results in bodily injury to any person.

(2) *Government-operated vessel.* Any vessel operated (manned, supplied, and maintained) by an agency in the Government. These include Army-operated vessels, Navy-operated vessels, and vessels operated under General Agency Agreements.

(3) *Army vessel.* All vessels operated (manned, supplied, and maintained) by the Army, and all unmanned vessels owned by the Army, are Army vessels for purposes of this section, except that vessels of the Corps of Engineers are not covered by this section.

(c) *Maritime claims.* A marine casualty will frequently result in a claim in favor of or against the Government and may be covered by terms of a contract or by statute. The source of authority for the Department of the Army to settle certain claims and appropriate regulations to be followed in the investigation and disposition of such claims are set out in §§ 536.1 to 536.8. The principal statute authorizing the Department of the Army to settle marine casualty claims both in favor of and against the Government is the Maritime Claims Act (65 Stat. 572; 10 U. S. C. 1861–1866) which is implemented by § 536.45 and § 537.7 of this subchapter.

(d) *Delegation of authority to compromise or settle claims.* When the net amount paid or received in settlement does not exceed $1,000, the authority of the Secretary of the Army under the Maritime Claims Act to settle or compromise claims, other than salvage claims in favor of the United States, may be exercised by such person or persons as the Secretary may designate.

(e) *Form of claim.* The form in which the claim should be submitted depends on the type of claim involved. Claims under the Maritime Claims Act should be submitted in accordance with § 536.4 of this part. In view of commercial usage, letters from steamship companies, tug companies, etc., accompanied by prepared vouchers which set out damages and request payment therefor, should be processed as claims against the Government, subject to later formalization. When evidence of authority to file the claim is required (e. g., if filed by a corporation) such authority should include the power to adjust and settle claims for and on behalf of the claimant.

(f) *Claims cognizable under contracts and other claims regulations.* (1) Any claim in favor of or against the Government cognizable under any statute cited in §§ 536.1 to 536.8 or the Maritime Claims Act, which is also payable as an obligation under a contract, will be adjusted or settled under the applicable contract whenever practicable. In the event there is doubt as to whether a claim is payable under a contract, or if for other reasons it is considered inappropriate to settle the claim under the terms of the contract, the claim may be disposed of under the proper statute pursuant to the applicable regulations.

(2) Claims which are within the scope of the Maritime Claims Act and also within the scope of the Military Claims Act (see §§ 536.12 to 536.23) or the Foreign Claims Act (see § 536.26) normally will be processed under the Maritime Claims Act, but may be processed under the provisions of the Military Claims Act, or the Foreign Claims Act where specific authority to do so has been obtained from The Judge Advocate General.

(3) Claims of military personnel and civilian employees of the Department of the Army for damage to, or loss or destruction of personal property, occurring incident to their service, will be processed under § 536.27.

(4) Claims for loss or damage to Government property under control of the Department of the Army within the scope of 10 U. S. C. 1304 will be processed in accordance with § 537.2 of this subchapter.

§ 537.6 *Maritime casualties; claims in favor of the United States.* See § 536.44 of this subchapter, which covers claims on behalf of the United States as well as claims against the United States.

[AR 55-19, 8 August 1955] (R. S. 161; 5 U. S. C. 22)

[SEAL] JOHN A. KLEIN,
Major General, U S. Army,
The Adjutant General.

[F. R. Doc. 55-7317; Filed, Sept. 9, 1955; 8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Parts 655, 657, 671, 673, 696, 698, 706]

[Administrative Order 448]

SPECIAL INDUSTRY COMMITTEE 17-C FOR PUERTO RICO

NOTICE OF RESIGNATION AND APPOINTMENT

Paul Jennings of Newark, New Jersey, having resigned as member of Special Industry Committee No. 17-C[1] for Puerto Rico, the Secretary of Labor, pursuant to authority under the Fair Labor Standards Act of 1938, as amended (52 Stat. 1060, as amended; 29 U. S. C. and Sup. 201 et seq.) hereby appoints Bert R. Seidman of Washington, D. C., to serve as representative of the employees in the industries for which said Committee was appointed.

Signed at Washington, D. C., this 6th day of September 1955.

JAMES P MITCHELL,
Secretary of Labor

[F. R. Doc. 55-7323; Filed, Sept. 9, 1955; 8:47 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

MISSOURI RIVER BASIN PROJECT, MONTANA

FIRST FORM RECLAMATION WITHDRAWAL

MARCH 10, 1954.

Pursuant to the authority delegated by Departmental Order No. 2515 of April 7, 1949, I hereby withdraw the following-described lands from public entry under the first form of withdrawal, as provided by Section 3 of the Act of June 17, 1902 (32 Stat. 388)

MONTANA PRINCIPAL MERIDIAN

T. 30 N., R. 1 W.,
Sec. 2, Lots 1, 4.
T. 31 N., R. 1 W.,
Sec. 35, Lot 2.
T. 30 N., R. 1 E.,
Sec. 8, Lot 11.
T. 30 N., R. 2 E.,
Sec. 27, NE¼NE¼.
T. 36 N., R. 5 E.,
Sec. 29, Lots 1 to 5, Incl. 8, 9, W½SW¼, NE¼SW¼, SW¼NW¼.
Sec. 32, Lot 3, NE¼.
T. 29 N., R. 7 E.,
Sec. 22, SW¼SW¼.
T. 29 N., R. 8 E.,
Sec. 7, Lot 4, SE¼SE¼.
Sec. 18, NW¼NE¼.
T. 30 N., R. 11 E.,
Sec. 1, NE¼SE¼.
T. 28 N., R. 12 E.,
Sec. 4, Lot 4.
T. 29 N., R. 12 E.,
Sec. 25, NE¼NW¼, NW¼NE¼.
T. 31 N., R. 12 E.,
Sec. 3, Lots 2, 4, S½SE¼.
T. 29 N., R. 13 E.,
Sec. 7, NE¼NW¼.
T. 31 N., R. 14 E.,
Sec. 9, Lot 4.

The above areas aggregate 1,192.02 acres.

S. W CROSTHWAIT,
Acting Commissioner

SEPTEMBER 2, 1955.

I concur. The records of the Bureau of Land Management will be noted accordingly.

DEPUE FALCK,
Acting Director,
Bureau of Land Management.

[1] 20 F R. 4091.

Notice for Filing Objections to Order Withdrawing Public Lands for the Missouri River Basin Project, Montana

Notice is hereby given that for a period of 30 days from the date of publication of this notice, persons having cause to object to the terms of the above order withdrawing certain public lands in the State of Montana, for use in connection with the proposed Lower Marias Unit, Marias Division, Missouri River Basin Project may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C.

In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent and extent. Should any objection be filed, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

S. W CROSTHWAIT,
Acting Commissioner

[F. R. Doc. 55-7318; Filed, Sept. 9, 1955; 8:46 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to Section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Supp. 214) and Part 522 of the Regulations issued thereunder (29 CFR, Part 522) special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under Section 6 of the Act, have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learning periods for certificates issued under general learner regulations (§§ 522.1 to 522.12) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Apparel Industry Learner Regulations (29 CFR 522.20 to 522.24, as amended April 19, 1955, 20 F. R. 2304.

Asba Manufacturing Corp., South Cedar Lane, Greencastle, Pa., effective 8-26-55 to 8-25-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (house coats and house dresses).

Carolyn's Fashions, Inc., Daleville Highway, R. D. No. 3, Moscow, Pa., effective 8-25-55 to 8-24-56; 5 learners for normal labor turnover purposes (ladies' blouses; children's dresses).

Carolina Garment Co., Jackson Street, Rich Square, Northampton County, N. C., effective 8-25-55 to 2-24-56; 15 learners for plant expansion purposes (ladies' robes).

Greenwood Shirt Co., Inc., 145 Maxwell Avenue, Greenwood, S. C., effective 8-24-55 to 8-23-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (sport shirts).

J. and B. Sportswear Co., Maple Street, Treskow, Pa., effective 8-22-55 to 8-21-56; 5 learners for normal labor turnover purposes (women's and children's wearing apparel).

Johnnye Manufacturing Co., Fourth and Walnut Streets, Albion, Ill., effective 8-23-55 to 8-22-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (learners are not authorized to be employed at subminimum wage rates in the production of skirts) (dresses and blouses).

Lackawanna Pants Manufacturing Co., Cedar Avenue and Brook Street, Scranton, Pa., effective 9-8-55 to 9-7-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (trousers).

Monticello Manufacturing Co., Inc., Monticello, Ky., effective 9-1-55 to 2-29-56; 100 learners for plant expansion purposes (shirts).

Morris Sportswear Co., 219 Arch Street, Nanticoke, Pa., effective 9-18-55 to 9-17-56; 5 learners for normal labor turnover purposes (ladies' sportswear).

Princess Kent, Inc., Main Street, P. O. Box 161, Fort Kent, Maine, effective 9-9-55 to 9-8-56; 5 learners for normal labor turnover purposes (children's nightgowns, pajamas, smocks, and robes.)

Rutherford Garment Co., Rutherford, Tenn., effective 9-12-55 to 9-11-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (wool and cotton jackets; wool mackinaws).

Schoolhouse Togs, Inc., Rockport, Maine, effective 8-30-55 to 1-20-56; 5 learners for normal labor turnover purposes (infants', children's and ladies' wear) (replacement certificate).

Southern Textiles, Inc., Alamo, Tenn., effective 8-24-55 to 8-23-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (foundation garments).

Sylvan Manufacturing Co., Inc., 240 Pennsylvania Ave., Scranton, Pa., effective 8-29-55 to 8-28-56; 6 learners for normal labor turnover purposes (learners are not authorized to be employed at subminimum wage rates in the production of skirts) (children's sportswear—jackets, boleros, shirts, jumpers, etc.).

Westway Manufacturing Co., 213 West Main Street, Fredericksburg, Tex., effective 8-23-55 to 8-22-56; 5 learners for normal labor turnover purposes (boys' shirts and jackets).

Cigar Industry Learner Regulations, (29 CFR 522.80 to 522.85, as amended April 19, 1955, 20 F R. 2304)

Bayuk Cigars, Inc., Morgan Street, Selma, Ala., effective 8-29-55 to 2-28-56; 25 additional learners for plant expansion purposes, in the occupations of cigar machine operating, 320 hours; packing (cigars retailing for 6 cents or less), 160 hours; machine stripping, 160 hours; and hand stripping, 160 hours. All at 65 cents an hour.

Bayuk Cigars, Inc., Second and Washington Streets, Steelton, Pa., effective 8-25-55 to 8-24-56; 10 percent of the total number of factory production workers in the occupations of cigar machine operating, 320 hours; packing (cigars retailing for over 6 cents), 320 hours; packing (cigars retailing for 6 cents or less), 160 hours; and machine stripping, 160 hours. All at 65 cents an hour.

Bayuk Cigars, Inc., Second and Washington Streets, Steelton, Pa., effective 8-29-55 to 2-28-56; 25 additional learners for plant expansion purposes in the occupations of cigar machine operating, 320 hours; packing (cigars retailing for over 6 cents), 320 hours; packing (cigars retailing for 6 cents or less), 160 hours; and machine stripping, 160 hours. All at 65 cents an hour.

Budd Cigar Co. of Alabama, Dothan, Ala., effective 8-24-55 to 2-23-56; 20 learners for plant expansion purposes in the occupations of cigar machine operating, 320 hours; cigar packing (cigars retailing for 6 cents or less), 160 hours; and machine stripping, 160 hours. All at 65 cents an hour.

Glove Industry Learner Regulations (29 CFR 522.60 to 522.65, as amended April 19, 1955, 20 F. R. 2304)

Florida Knitting Mills, Inc., Orlando, Fla., effective 8-25-55 to 8-24-56; 10 learners for normal labor turnover purposes (knit wool gloves and mittens).

Picardy Mills, Inc., Sherwood and Reeve Streets, Dunmore, Pa., effective 8-25-55 to 8-24-56; 10 learners for normal labor turnover purposes (women's knit fabric gloves).

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.43, as amended April 19, 1955, 20 F. R. 2304)

Pittsburg Knitting Mills, Inc., 212 First Street, South Pittsburg, Tenn., effective 8-30-55 to 8-29-56; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless hosiery).

Thornton Knitting Co., Inc., Denton, N. C., effective 8-22-55 to 8-21-56; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless hosiery).

Shoe Industry Learner Regulations (29 CFR 522.50 to 522.55, as amended April 19, 1955, 20 F. R. 2304)

Linda Jo Shoe Co., Inc., 420 West Garnett Street, Gainesville, Tex., effective 8-23-55 to 8-23-56; 10 percent of the total number of factory production workers for normal labor turnover purposes.

Nortex Shoe Corp., 215 Lindsey Street, Gainesville, Tex., effective 8-29-55 to 8-23-56; 10 percent of the total number of factory production workers for normal labor turnover purposes.

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 30th day of August 1955.

MILTON BROOKE,
Authorized Representative of the Administrator.

[F. R. Doc. 55-7319; Filed, Sept. 9, 1955; 8:46 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. SA-307]

ACCIDENT OCCURRING NEAR KANSAS CITY, KANSAS

NOTICE OF RECONVENING OF HEARING

In the matter of investigation of accident involving air collision between aircraft of United States Registry N 51167 and N 1158D which occurred near Kansas City, Kansas, July 12, 1955.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly Section 702 of said Act, in the above-entitled proceeding that hearing is hereby assigned to be held for the taking of additional witness testimony and technical information on Tuesday, September 13, 1955, at 9:30 a. m. (local time) in the Crystal Room, Phillips Hotel, Kansas City, Missouri.

Dated at Washington, D. C., September 6, 1955.

[SEAL] VAN R. O'BRIEN,
Presiding Officer

[F. R. Doc. 55-7314; Filed, Sept. 9, 1955; 8:45 a. m.]

[Docket No. 7191; Order No. E-9549]

FRONTIER AIRLINES, INC.

APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 6th day of September 1955.

Statement of tentative findings and conclusions and order to show cause.[1] Frontier Airlines, Inc. (Frontier) on May 31, 1955, filed an application pursuant to section 401 (e) (3) of the Civil Aeronautics Act of 1938, as amended, (the act), requesting the Board to issue Frontier a certificate of public convenience and necessity of unlimited duration for route No. 73 authorizing air transportation of persons, property and mail between certain named points.

Section 401 (e) (3) of the act (effective May 19, 1955), provides: "If any applicant who makes application for a certificate within one hundred and twenty days after the date of enactment of this paragraph shall show that, from January 1, 1953, to the date of its application, it or its predecessor in interest, was an air carrier furnishing, within the continental limits of the United States, local or feeder service consisting of the carriage of persons, property, and mail, under a temporary certificate of public convenience and necessity issued by the Civil Aeronautics Board, continuously operating as such (except as to interruptions of service over which the applicant or its predecessors in interest have no control) the Board, upon proof of such fact only, shall, unless the service rendered by such applicant during the period since its last certification has been inadequate and inefficient, issue a certificate or certificates of unlimited duration, authorizing such applicant to engage in air transportation between the terminal and intermediate points within the continental limits of the United States between which it, or its predecessor, so continuously operated between the date of enactment of this paragraph and the date of its application: *Provided,* That the Board in issuing the certificate is empowered to limit the duration of the certificate as to not over one-half of the intermediate points named therein, which points it finds have generated insufficient traffic to warrant a finding that the public convenience and necessity requires permanent certification at such time."

Frontier alleges in its application that it is a citizen of the United States of America as defined by section 1 (13) of the act. Proof of this fact has been submitted by Frontier in other certification proceedings and no information to the contrary has since come to the knowledge of the Board.

Frontier further alleges in its application that it has continuously operated as an air carrier furnishing local or feeder air transportation of persons, property and mail within the continental limits of the United States during the period January 1, 1953, to the date of its application under a temporary certificate of public convenience and necessity for route No. 73 issued by the Board, except as to interruptions of service over which it had no control. The various schedules and reports required to be filed with the Board by local service carriers indicate that Frontier has so continuously operated since January 1, 1953.

Section 401 (e) (3) of the act requires in effect that the Board find as a prerequisite to the granting of a certificate of unlimited duration to Frontier that the service rendered by Frontier during the period since its last certification has not been inadequate or inefficient. The carrier in its application for such certificate filed May 31, 1955, alleges its service rendered during the aforesaid period has been adequate and efficient. The Board during the said period has received no complaints from the public relating to the overall service provided by this carrier. The Board is possessed of no information from which it could find that, considered as a whole, the service provided by this carrier during the period from September 14, 1951, the date of Frontier's last certificate, to the present has been inadequate or inefficient within the meaning of section 401 (e) (3) of the act.

Frontier further alleges in its application that it has from the date of the enactment of section 401 (e) (3) (May 19, 1955) to the date of its application, continuously served the following terminal and intermediate points:[2]

Salt Lake City, Utah.	Farmington, N. Mex.
Vernal, Utah.	Gallup, N. Mex.
Grand Junction, Colo.	Albuquerque, N. Mex.
Cortez, Colo.	Winslow, Ariz.
Durango, Colo.	Flagstaff, Ariz.
Phoenix, Ariz.	Prescott, Ariz.
Denver, Colo.	Laramie, Wyo.
Pueblo, Colo.	Cheyenne, Wyo.
Gunnison, Colo.	Rock Springs, Wyo.
Montrose - Delta, Colo.	Tucson, Ariz.
Alamosa, Colo.	Safford, Ariz.
Monte Vista, Colo.	Clifton - Morenci, Ariz.
Billings, Mont.	Silver City - Hurley, N. Mex.
Lovell-Powell - Cody, Wyo.	Miles City, Mont.
Greybull, Wyo.	Glendive, Mont.
Worland, Wyo.	Wolf Point, Mont.
Riverton - Lander, Wyo.	Sidney, Mont.
Casper, Wyo.	Williston, N. Dak.
Rawlins, Wyo.	Dickinson, N. Dak.
	Bismarck - Mandan, N. Dak.

Section 401 (e) (3) provides in effect that all terminal points served by the local service carrier applicant during the period from May 19, 1955, to May 31, 1955, shall be certificated for a period of unlimited duration. The certificate we propose to issue to Frontier (which is set forth below as Appendix A) accomplishes this.

Section 401 (e) (3) empowers the Board to limit the duration of the certificate as to not over one-half of the intermediate points named therein, which points the Board finds have generated insufficient traffic to warrant a finding that the public convenience and necessity require permanent certification. The Board has proposed an industry-wide traffic standard upon which to base a tentative conclusion as to whether a particular intermediate point should be permanently or temporarily certificated. A standard which can be applied on an industry-wide basis will assure that all the intermediate cities are equitably treated. The Board has concluded, on the basis of an analysis of the latest available traffic data, that an average of five or more passengers enplaned per day provides a reasonable basis for selection of those intermediate points to be permanently certificated at this time.

As indicated above, the recent amendment of the act provides for the certification for an unlimited duration of all terminal points and of at least one-half of the intermediate points named in the certificate. This means that in the future the applicant carrier will be providing services over permanently certificated segments. During the years of local service carrier experience, the Board, in consideration of the subsidized nature of the operation, has found that on-line intermediate points generating in the neighborhood of 300 passengers on and off monthly have borne a reasonable share of the expense incurred by the carrier in providing service to the intermediate point on existing flights. In the past, the Board has also found that local service carrier points generating in the neighborhood of five or more enplaned passengers per day have warranted recertification. This leads us to conclude that in the absence of a further showing, the five passenger per day standard is a reasonable one for selecting those intermediate points to be permanently certificated.

The proposed certificate which is set forth below as Appendixes A and B grants Frontier permanent authority at those intermediate stations shown in

[1] This statement does not necessarily represent the views of all Members of the Board with respect to all issues.

[2] Frontier was authorized to suspend service at Kemmerer, Wyoming, by Order E-5858, November 13, 1951, until adequate airport facilities are available.

Appendixes C, D, and E to have met this five-passenger per day standard and temporary authority at all other intermediate stations served by Frontier during the period May 19, 1955, to May 31, 1955. Appendixes C and D[3] set forth in tabular form, the average number of daily passengers enplaned at each Frontier intermediate point for the calendar year 1954 and for the twelve months ended March 31, 1955. The average number of passengers enplaned at intermediate points generating less than five passengers per day is set forth in Appendix E[3] on a quarterly basis for the years 1952, 1953, 1954, and for the twelve months ended March 31, 1955.

The Board believes that except for cities presenting special considerations warranting permanent certification, those intermediate points which have generated less than five enplaned passengers per day should be certificated for a temporary period of three years. Certification for this period will enable the Board to assess the future traffic development at these points and to consider at a later time whether or not they should be made permanent. These cities will be afforded an opportunity before the expiration of the temporary period to demonstrate their ability to generate a sufficient volume of traffic to warrant permanent certification or continuation of service for a further temporary period.

It is also the Board's tentative conclusion that a point named in the last certificate issued to the carrier as a point on more than one designated segment in the certificate, but which has received service on only one segment, is eligible to be certificated pursuant to the provisions of section 401 (e) (3) of the act only as a point on the segment where the point was served during the period from May 19, 1955, to May 31, 1955.

Thus, this order will provide that Frontier will be required to show cause why Durango, Colorado, should not be certificated as a point on segment 4 only.

Condition 6 of Frontier's present certificate provides: "Notwithstanding the provisions of paragraph '(4)' above, the holder may serve Durango, Colo., as the terminal point on segment '4' in lieu of Farmington, N. Mex., *Provided*, That the holder shall not serve Durango as an intermediate point on segment '2' unless Durango is served as the terminal point on segment '4'." Since it is proposed that Durango be recertificated on segment 4 only, the proviso to this condition is meaningless and is omitted from the attached draft certificate proposed to be issued to Frontier in this proceeding.

The Board further tentatively concludes that where, since the last certificate issued to this carrier, the Board has authorized Frontier, by exemption, to serve additional points, the said points are eligible to be certificated pursuant to section 401 (e) (3) of the act as served by the carrier pursuant to such exemptions during the period from May 19, 1955, to May 31, 1955.

Thus, the Board proposes to require the carrier to show cause why Vernal, Utah, should not be certificated for a period of unlimited duration on segment 1.

The Board further concludes that a point which has been authorized for service, has received service from the carrier, but where service has been interrupted and temporarily suspended because of inadequate airport facilities, is eligible for certification pursuant to section 401 (e) (3) of the act even though no service was rendered during the statutory grandfather period, because it is a point at which service has been interrupted for reasons over which the carrier had no control.

Thus, the certificate which the Board proposes to issue to Frontier pursuant to section 401 (e) (3) of the act, provides for the certification for a period of three years of the intermediate point Kemmerer, Wyoming. The presently effective suspension of service at this point is being continued by the proposed supplementary order set forth below as Appendix B.

The Board further believes that a point which was not served during the statutory grandfather period because service had been temporarily suspended for economic reasons advanced and supported by the carrier is not eligible for inclusion as a point in any certificate that may be issued to Frontier pursuant to section 401 (e) (3)

Therefore, the Board is making a finding consistent with the above tentative conclusion as to the point, El Paso, Texas. This order will require Frontier to show cause why the intermediate point Silver City-Hurley, New Mexico, should not be certificated pursuant to the provisions of section 401 (e) (3) of the act as a terminal point on segment 8 of route No. 73 for a period of unlimited duration.

The point, Minot, North Dakota, was temporarily certificated to Frontier by the Board by Order E–8743, November 1, 1954, however, the effectiveness of the certificate was stayed by Order E–8860, December 29, 1954, and the record in the Williston Basin Area Case, Docket 5777, was reopened for further hearing on the issue whether Frontier should provide service to Minot in addition to or in lieu of Braniff Airways, Inc. Since the certificate has not become effective and Minot has never been served by Frontier, the Board tentatively concludes that the point, Minot, is not eligible for inclusion in any certificate to be issued to Frontier pursuant to section 401 (e) (3) of the act.

The Board further believes that the general terms and conditions set forth in the certificate of public convenience and necessity last issued by the Board to Frontier may not be expanded in a certificate to be issued pursuant to section 401 (e) (3) of the act in such manner as to grant authority to said carrier in excess of that set forth in the certificate of public convenience and necessity last issued to this carrier.

The Board does not believe that authority granted to Frontier pursuant to Parts 202.4 or 205 of the Economic Regulations of the Board or by temporary exemption, subsequent to the issuance of the last certificate of public convenience and necessity issued by the Board to said air carrier permitting on-segment changes in the service pattern should be incorporated in a certificate issued to Frontier pursuant to section 401 (e) (3) of the act. In the interest of convenience and clarity the Board will restate the carrier's outstanding service pattern modifications in a single order, a draft of which is set forth below as Appendix B.

It is our intention to strictly limit this proceeding to a consideration of issues directly pertaining to the grant, pursuant to section 401 (e) (3) of the act, of permanent or temporary authority to serve points served by Frontier during the period from May 19, 1955, to May 31, 1955. We believe the public interest requires expeditious disposition of the proceeding and are therefore adopting a procedure intended to shorten the proceeding while at the same time fully protecting the interests of all interested persons. We are requiring Frontier to show cause why the Board should not issue an order making final the tentative findings and conclusions set forth in this order and issue a certificate of public convenience and necessity in the form set forth below as Appendixes A and B. After allowing interested persons a reasonable period within which to submit objections to the Board's order, Frontier's application and the order to show cause will be set for immediate hearing in Washington before a hearing examiner of the Board. Frontier and all interested persons who desire to be heard in connection with this matter are hereby notified that they may file written objection to the Board's tentative findings and conclusions within 15 days from the date of this order. The hearing will be limited to consideration of the issues raised by such objections. Objections should be in the nature of exceptions, should be brief and concise, and should not contain argument or factual data which the objecting party intends to rely on at the hearing in support of its objections.

It is also our intention to officially notice all reports, tariffs and schedules required to be filed with the Board by all air carriers, as well as all public Board reports based on these data,[4] so that these materials need not be specially compiled for the record in this proceeding.

On the basis of the foregoing considerations and the data set forth in Appendixes C, D, E, and F hereof,[3] which are hereby incorporated into this order and shall constitute part of the record in this proceeding, the Board finds that:

1. Frontier is a citizen of the United States of America as defined by section 1 (13) of the act;

2. From January 1, 1953, to May 31, 1955, Frontier was an air carrier providing within the continental limits of the United States, local or feeder service consisting of the carriage of persons, property and mail pursuant to a temporary certificate of public convenience and necessity for route No. 73 issued by

[3] Filed as part of the original document.

[4] We will also officially notice the Origination-Destination Airline Traffic Surveys published by the Airline Finance and Accounting Conference from information compiled by the Board.

the Civil Aeronautics Board, continuously operating as such (except as to interruptions of service over which Frontier had no control)

3. Frontier has continuously served the following terminal and intermediate points during the period from May 19, 1955, to May 31, 1955:

Salt Lake City, Utah.	Greybull, Wyo.
Vernal, Utah.	Worland, Wyo.
Grand Junction, Colo.	Riverton-Lander, Wyo.
Cortez, Colo.	Casper, Wyo.
Durango, Colo.	Rawlins, Wyo.
Farmington, N. Mex.	Laramie, Wyo.
Gallup, N. Mex.	Cheyenne, Wyo.
Albuquerque, N. Mex.	Rock Springs, Wyo.
Winslow, Ariz.	Tucson, Ariz.
Flagstaff, Ariz.	Safford, Ariz.
Prescott, Ariz.	Clifton-Morenci, Ariz.
Phoenix, Ariz.	Silver City-Hurley, N. Mex.
Denver, Colo.	Miles City, Mont.
Pueblo, Colo.	Glendive, Mont.
Gunnison, Colo.	Wolf Point, Mont.
Montrose-Delta, Colo.	Sidney, Mont.
Alamosa, Colo.	Williston, N. Dak.
Monte Vista, Colo.	Dickinson, N. Dak.
Billings, Mont.	Bismarck-Mandan, N. Dak.
Lovell-Powell-Cody, Wyo.	

4. The service rendered by Frontier during the period from September 14, 1951, the date of its last certification, to the present has been adequate and efficient within the meaning of section 401 (e) (3) of the act.

5. Frontier's authority to serve the intermediate point Kemmerer, Wyoming, should be included in the certificate to be issued in this proceeding for the reason that Frontier has not served this point during the period May 19, 1955, to May 31, 1955, for reasons beyond its control.

6. The following points, which on the basis of the most recent available data have generated an average of five or more enplaned passengers per day, should be designated as points of unlimited duration:

(a) On Frontier's segment 1, the intermediate point Vernal, Utah;

(b) On segment 2, the intermediate points Cortez, Colorado, Farmington, and Gallup, New Mexico, and Winslow, Flagstaff, and Prescott, Arizona,

(c) On segment 3, the intermediate point Pueblo, Colorado;

(d) On segment 4, the intermediate points Pueblo, Alamosa, and Durango, Colorado;

(e) On segment 5, the intermediate points Lovell-Powell-Cody, Worland, Riverton-Lander, Casper, Laramie, and Cheyenne, Wyoming;

(f) On segment 6, the intermediate points Lovell-Powell-Cody, Worland, Riverton-Lander, Casper, and Rock Springs, Wyoming, and Vernal, Utah;

(g) On segment 7, the intermediate points Vernal, Utah, Rock Springs, Riverton-Lander, Casper, Laramie, and Cheyenne, Wyoming;

(h) On segment 8, the intermediate point Tucson, Arizona,

(i) On segment 9, the intermediate points Glendive, Montana, and Williston, North Dakota.

7. The public convenience and necessity do not at this time require the certification for a period of unlimited duration of the following intermediate points which, on the basis of the most recent available data, have generated less than an average of five enplaned passengers per day but the public convenience and necessity do require that each of the following points be temporarily certificated for a period of three years:

(a) On Frontier's segment 3, the intermediate points Gunnison and Montrose-Delta, Colorado;

(b) On segment 4, the intermediate point Monte Vista, Colorado;

(c) On segment 5, the intermediate points Greybull and Rawlins, Wyoming;

(d) On segment 6, the intermediate points Greybull, Rawlins, and Kemmerer, Wyoming;

(e) On segment 7, the intermediate points Rawlins and Kemmerer, Wyoming;

(f) On segment 8, the intermediate points Safford and Clifton-Morenci, Arizona.

(g) On segment 9, the intermediate points Miles City, Wolf Point, and Sidney, Montana and Dickinson, North Dakota.

8. Frontier's present authority to serve the terminal point El Paso, Texas, should not be included in the certificate to be issued in this proceeding for the reason that Frontier has not served this point during the period May 19, 1955, to May 31, 1955, for reasons within the carrier's control.

9. Frontier should not be authorized in the proposed certificate of public convenience and necessity of unlimited duration to provide service at Minot, North Dakota, because Frontier has never served or held effective certificate authority to serve Minot and it is therefore not eligible for authorization under section 401 (e) (3) of the act.

Therefore *it is ordered* that:

1. Frontier is directed to show cause why the Board should not issue an order making final the tentative findings and conclusions stated herein and issue the proposed certificate of public convenience and necessity in the form set forth below as Appendix A, and further issue the proposed supplementary order in the form set forth below as Appendix B.

2. Frontier and any other interested person having objection to the issuance of an order making final the tentative findings and conclusions stated herein, or to the issuance of the aforesaid proposed certificate and supplementary order, shall, within 15 days from the date thereof, file written notice of objection with the Board.

3. On the expiration of the 15-day period allowed for the filing of objections, this proceeding shall be set for immediate hearing before an examiner of this Board. The hearing shall be limited to consideration of issues raised by the objections filed.

4. Copies of this order shall be served on Frontier, the Mayors of Kemmerer, Wyoming, El Paso, Texas, and Minot, North Dakota, the Mayor of each city served by Frontier during the period May 19, 1955, to May 31, 1955, and every certificated air carrier serving a point served by Frontier during that period.

5. This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

APPENDIX A

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR LOCAL OR FEEDER SERVICE

Frontier Airlines, Inc., is hereby authorized, subject to the provisions hereinafter set forth, the provisions of Title IV of the Civil Aeronautics Act of 1938, as amended, and the orders, rules and regulations issued thereunder, to engage in air transportation with respect to persons, property and mail, as follows:

1. Between the terminal point Salt Lake City, Utah, the intermediate point Vernal, Utah, and the terminal point Grant Junction, Colo.,

2. Between the terminal point Grand Junction, Colo., the intermediate points Cortez, Colo., Farmington and Gallup, N. Mex., and (a) beyond Gallup, N. Mex., the terminal point Albuquerque, N. Mex., and (b) beyond Gallup, N. Mex., the intermediate points Winslow, Flagstaff, and Prescott, Ariz., and the terminal point Phoenix, Ariz.,

3. Between the terminal point Denver, Colo., the intermediate points Pueblo, Gunnison, and Montrose-Delta, Colo., and the terminal point Grand Junction, Colo.,

4. Between the terminal point Denver, Colo., the intermediate points Pueblo, Alamosa, Monte Vista, and Durango, Colo., and the terminal point Farmington, N. Mex.,

5. Between the terminal point Billings, Mont., the intermediate points Lovell-Powell-Cody, Greybull, Worland, Riverton-Lander, Casper, Rawlins, Laramie, and Cheyenne, Wyo., and the terminal point Denver, Colo.,

6. Between the terminal point Billings, Mont., the intermediate points Lovell-Powell-Cody, Greybull, Worland, Riverton-Lander, Casper, Rawlins, Rock Springs, and Kemmerer, Wyo., Vernal, Utah, and the terminal point Salt Lake City, Utah;

7. Between the terminal point Salt Lake City, Utah, the intermediate points Vernal, Utah, Kemmerer, Rock Springs, Riverton-Lander, Casper, Rawlins, Laramie, and Cheyenne, Wyo., and the terminal point Denver, Colo.,

8. Between the terminal point Phoenix, Ariz., the intermediate points Tucson, Safford, and Clifton-Morenci, Ariz., and the terminal point Silver City-Hurley, N. Mex.,

9. Between the terminal point Billings, Mont., the intermediate points Miles City and Glendive, Mont., the alternate intermediate points Wolf Point and Sidney, Mont., the intermediate points Williston and Dickinson, N. Dak., and the terminal point Bismarck-Mandan, N. Dak., to be known as Route No. 73.

The service herein authorized is subject to the following terms, conditions and limitations:

(1) The holder shall render service to and from each of the points named herein, except as temporary suspensions of service may be authorized by the Board.

(2) The holder may begin or terminate, or begin and terminate, trips at points short of terminal points, except with respect to trips scheduled to provide Denver-Pueblo, Colo., Denver, Colo.-Cheyenne, Wyo., or Pueblo, Colo.-Cheyenne, Wyo., via Denver, Colo., service.

(3) The holder may continue to serve regularly any point named herein through the airport last regularly used by Frontier Airlines, Inc., to serve such point prior to the effective date of this certificate. Upon compliance with such procedures relating thereto as may be prescribed by the Board,

the holder may, in addition to the service hereinabove expressly prescribed, regularly serve a point named herein through any airport convenient thereto.

(4) On each trip operated by the holder over all or part of one of the nine numbered route segments in this certificate, the holder shall stop at each point named between the point of origin and the point of termination of such trip on such segment, except a point or points with respect to which (a) the Board pursuant to such procedure as the Board may from time to time prescribe, may by order relieve the holder from the requirements of such condition, (b) the holder is authorized by the Board to suspend service, or (c) the holder is unable to render service on such trip because of adverse weather conditions or other conditions which the holder could not reasonably have been expected to foresee or control.

(5) Notwithstanding the provisions of paragraph "(4)" above, the holder (a) may render nonstop service between Riverton-Lander and Rock Springs, Wyo., on flights between Billings, Mont., and Salt Lake City, Utah, (b) may render nonstop service between Rock Springs and Rawlins, Wyo., on flights between Salt Lake City, Utah, and Denver, Colo., and (c) shall not serve Kemmerer, Wyo., on flights serving Vernal, Utah.

(6) Notwithstanding the provisions of paragraph "(4)" above, the holder may serve Durango, Colo., as the terminal point on segment "4" in lieu of Farmington, N. Mex.

(7) On each trip scheduled between Albuquerque, N. Mex., and Phoenix, Ariz., the holder shall schedule stops at a minimum of three points between said points.

(8) On each trip scheduled between Denver, Colo., and Pheonix, Ariz., the holder shall schedule stops at a minimum of six points between said points.

(9) The holder may serve Montrose-Delta, Colo., as an intermediate point on any flight over the Grand Junction, Colo.-Winslow, Ariz., segment (segment 2) whenever a corresponding flight over the Denver-Grand Junction, Colo., segment (segment 3) is canceled because of weather conditions which do not prevent service to Montrose-Delta, Colo.

(10) The holder shall not engage in local air transportation with respect to persons or property between Denver and Pueblo, Colo., on flights operated over segment No. 3.

(11) The authorization to serve Gunnison, Montrose-Delta, Monte Vista, Colorado, Greybull, Rawlins, Kemmerer, Wyoming, Safford, and Clifton-Morenci, Arizona, Miles City, Wolf Point, and Sidney, Montana, and Dickinson, North Dakota, shall continue in effect up to and including _____.

The exercise of the privileges granted by this certificate shall be subject to such other reasonable terms, conditions and limitations required by the public interest as may from time to time be prescribed by the Board.

The services authorized by this certificate were originally established pursuant to a determination of policy by the Civil Aeronautics Board that in the discharge of its obligation to encourage and develop air transportation under the Civil Aeronautics Act, as amended, it is in the public interest to establish certain air carriers who will be primarily engaged in short-haul air transportation as distinguished from the service rendered by trunkline air carriers. In accepting this certificate the holder acknowledges and agrees that the primary purpose of the certificate is to authorize and require it to offer short-haul, local or feeder, air transportation service of the character described above.

This certificate shall be effective on _____, 1955: *Provided, however,* That prior to the date on which the certificate would otherwise become effective the Board, either on its own initiative or upon the timely filing of a petition or petitions seeking reconsideration of the Board's order of 1955 (order E-_____), insofar as such order authorizes the issuance of this certificate may by order or orders extend such effective date from time to time.

In witness whereof, the Civil Aeronautics Board has caused this certificate to be executed by its Chairman, and the seal of the Board to be affixed hereto, attested by the Secretary of the Board, on the _____ day of _____, 1955.

ROSS RIZLEY,
Chairman.

(SEAL)

ATTEST: _____
Secretary.

APPENDIX B

PROPOSED DRAFT OF ORDER EXTENDING EFFECTIVE PERIOD OF TEMPORARY SERVICE AUTHORIZATIONS

The Board has by Order E-_____, dated _____ 1955, granted a certificate of public convenience and necessity of unlimited duration to Frontier Airlines, Inc. (Frontier), authorizing Frontier to engage in air transportation of persons, property and mail over route No. 73. In the past, Frontier has been authorized to conduct operations differing in certain particulars from the authority stated in its temporary certificate of public convenience and necessity for route No. 73.

The term of effectiveness of some of these authorizations is unlimited, while others would expire sixty days after final determination by the Board in any proceeding involving renewal of route No. 73. The reasons for issuance of these temporary authorizations appear to be still applicable to Frontier in its operation under the certificate of unlimited duration concurrently issued herewith. It, therefore, appears to the Board that it is in the public interest and consistent with the act to continue these outstanding temporary authorizations in effect for an additional indefinite period of time. In extending these authorizations, it appears desirable to include all currently effective authorizations which are not included in or disposed of in the new certificate in one order which will become effective at the same time the new certificate of unlimited duration becomes effective.

Accordingly, the Board, acting pursuant to sections 205 (a) and 416 (b) of the Civil Aeronautics Act of 1938, as amended, and to Parts 202.4 and 205 of its Economic Regulations, finds:

1. That the enforcement of the provisions of section 401 (a) of the act and of Frontier's certificate, insofar as it would otherwise prevent the operations hereinafter authorized, would be an undue burden upon Frontier by reason of the limited extent of, or unusual circumstances affecting its operations and is not in the public interest;

2. That the enforcement of the condition in Frontier's certificate which requires it on each flight over all or part of the several numbered route segments on route No. 73 to stop at each point named between the point of origin and the point of termination of such flight unless otherwise authorized by the Board, to the extent that it would prevent the service pattern hereinafter authorized, would prevent a service pattern which is in the public interest and which is consistent with Frontier's performance of a local or feeder air transportation service and is not required by nor is it in the public interest;

3. That the temporary suspensions of service authorized hereinafter do not substantially change the character of the service for which the certificate of public convenience and necessity of unlimited duration is being granted to Frontier and are otherwise in the public interest;

4. The authority granted by Order E-8262, April 16, 1954, to temporarily suspend service at El Paso, Texas, should and will be terminated because the point El Paso is not included in the certificate being issued to Frontier concurrently with this order;

5. The authority granted by Order E-9075, April 4, 1955, insofar as it authorized service to Vernal, Utah, as an intermediate point between Salt Lake City, Utah, and Grand Junction, Colorado, on segment 1 of route No. 73 should and will be terminated because the point, Vernal, is included on segment 1 of the certificate being issued to Frontier concurrently with this order;

6. The authority granted by Order E-5853, November 13, 1951, to suspend service at Kemmerer, Wyoming, until adequate airport facilities are available prohibits nonstop service between Salt Lake City, Utah, and Rock Springs, Wyoming, "except as authorized by Order Serial No. E-5189, dated March 12, 1951." This exception pertains to flights requiring a landing at Vernal, Utah, during the hours of darkness. Since flights are presently scheduled to Vernal during the hours of darkness, this provision of Order E-5189 is no longer effective and the authority granted by Order E-5853 will be restated without reference to Order E-5189;

It is ordered That:

1. Frontier be and hereby is temporarily exempted from condition No. 10 of the certificate of public convenience and necessity being issued concurrently with this order (previously authorized by Order E-8337);

2. Frontier be and hereby is authorized to omit a stop at Gallup, New Mexico, on one daily round trip flight between Farmington, New Mexico, and Albuquerque, New Mexico, and also one one daily round trip flight between Farmington and Winslow, Arizona; *Provided,* That Frontier shall serve Gallup on at least one round trip flight daily serving Farmington and Winslow and on at least one round trip flight daily serving Farmington and Albuquerque (previously authorized by Order E-6938);

3. Frontier be and hereby is authorized to overfly Rawlins, Wyoming, on one additional daily round trip flight between Denver, Colorado, and Billings, Montana; *Provided,* That Rawlins is served by at least two daily round trip flights (previously authorized by Order E-7328);

4. Frontier be and hereby is authorized to omit service at Greybull, Wyoming, on one round trip flight scheduled daily over segment 6 of route No. 73 (previously authorized by Order E-8218);

5. Frontier be and hereby is authorized to omit service at Vernal, Utah, an intermediate point on segment 6 of route No. 73, on one round trip flight scheduled daily between Salt Lake City, Utah, and Billings, Montana (previously authorized by Order E-9075);

6. Frontier be and hereby is authorized to suspend service temporarily at Kemmerer, Wyoming, until such time as the airport facilities at said point are adequate for use by Frontier in its scheduled air carrier operations; *Provided,* That during the period this temporary suspension remains in effect, Frontier may not render nonstop service between Salt Lake City, Utah, and Rock Springs, Wyoming (previously authorized by Order E-5853);

7. Frontier be and hereby is authorized to render flag-stop service on its route No. 73, by omitting the physical landing of its aircraft at any intermediate point scheduled to be served on a particular flight: *Provided,* That there are no persons, property or mail on the aircraft destined for such point and no such traffic available at such point for the flight at the scheduled time of departure: *Provided, further,* That the Board in its discretion may at any time disapprove the use of such authority with respect to service to any point on any flight or flights (previously authorized by Orders E-3546, E-4592 and E-6139);

8. The authority previously granted to Frontier by Orders E-3546, E-4592 and E-6139 insofar as they pertain to Frontier, E-5189, E-5858, E-6958, E-7328, E-8218, E-8262, E-8337, and E-9075, shall be terminated on the date this order and the certificate of public convenience and necessity of unlimited duration for route No. 73 being issued to Frontier concurrently with the issuance of this order become effective;

9. The change in service pattern and temporary suspension and temporary exemption authorizations granted herein shall become effective _____ _____, _____, concurrently with the effective date of the certificate, issued to Frontier in Docket No. 7191;

10. This order or any part thereof may be amended or revoked at any time in the discretion of the Board without notice and without hearing.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 55-7315; Filed, Sept. 9, 1955; 8:45 a. m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

VARIOUS STATES

DESIGNATION OF AREAS FOR PRODUCTION EMERGENCY LOANS AND ECONOMIC EMERGENCY LOANS

For the purpose of making production emergency loans pursuant to section 2 (a) of Public Law 38, 81st Congress (12 U. S. C. 1148a-2 (a)) as amended, it has been determined that in the following named counties in the following named States a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Connecticut:
Fairfield.
Hartford.
Litchfield.
Middlesex.
New Haven.
New London.
Tolland.
Windham.
New Jersey:
All counties.
Maryland:
Anne Arundel.
Calvert.
Charles.
Prince Georges.
St. Marys.
New York:
Columbia.
Dutchess.
Orange.
Putnam.
Rockland.
New York—Con.
Sullivan.
Ulster.
Massachusetts:
Berkshire.
Franklin.
Hampden.
Hampshire.
Middlesex.
Worcester.
Pennsylvania:
Bucks.
Carbon.
Lackawanna.
Lehigh.
Luzerne.
Monroe.
Montgomery.
Northampton.
Pike.
Schuylkill.
Wayne.

Pursuant to the delegations of authority from the Administrator, Federal Civil Defense Administration (18 F R. 4609; 19 F R. 2148 and 19 F R. 5364) and for the purposes of making economic emergency loans pursuant to section 2 (b) of Public Law 38, 81st Congress (12 U. S. C. 1148a-2 (b)) as amended by Public Law 115, 83d Congress, it has been determined that the above named counties in Connecticut, Massachusetts, New Jersey, and Pennsylvania are within the area affected by the major disaster occasioned by hurricanes and flood as determined by the President on August 20, 1955, pursuant to Public Law 875, 81st Congress (42 U. S. C. 1855 et seq.), and that the above named counties in New York are within the area affected by the major disaster occasioned by hurricanes and flood as determined by the President on August 22, 1955, pursuant to said last mentioned act. It has also been determined that an economic disaster exists in all of the above named counties except those in Maryland that has caused a need for agricultural credit that cannot be met for a temporary period from commercial banks, cooperative lending agencies, the Farmers Home Administration under its regular loan programs, or other responsible sources.

The counties of New London and Windham in Connecticut and the counties of Middlesex and Worcester in Massachusetts are currently designated under a document published in 19 F R. 6244 for the making of production emergency loans and economic emergency loans to new applicants through December 31, 1955, and the above named counties in Maryland are currently designated under a document published in 19 F R. 6865 for the making of Production Emergency loans to new applicants through December 31, 1955. These designations are hereby extended for the purpose of making loans to new applicants through December 31, 1956. Thereafter, loans under such designations may be made in such counties only to indebted borrowers who previously received such assistance.

Pursuant to authority set forth in this document, production emergency loans and economic emergency loans may be made to new applicants in all of the above named counties except those in Maryland through December 31, 1956, and production emergency loans may be made to new applicants in the above named counties in Maryland through December 31, 1955. Thereafter, production emergency loans may be made in such counties only to borrowers indebted for such loans and economic emergency loans may be made in such counties only to borrowers indebted for economic emergency loans.

Done at Washington, D. C., as of this 24th day of August 1955.

[SEAL] E. T. BENSON, *Secretary.*

[F. R. Doc. 55-7332; Filed, Sept. 9, 1955; 8:49 a. m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

SEPTEMBER 7, 1955.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the General Rules of Practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT-HAUL

FSA No. 31061. *Salt Cake from Mich., Ohio, and W Va.* Filed by H. R. Hinsch, Agent, for interested rail carriers. Rates on salt cake, carloads from points in Michigan, Ohio, and W Virginia to Rosser, Ga., and Knoxville, Tenn.

Grounds for relief: Carrier competition and circuity.

FSA No. 31062: *Motor-Rail Rates in the East-Substituted Service.* Filed by The New York, New Haven and Hartford Railroad Company and New England Transportation Company for and on behalf of themselves and other common carriers by motor vehicle. Rates on semi-trailers, loaded and empty, on railroad flat cars between Harlem River, N. Y., Bridgeport and Hartford, Conn., and Providence, R. I., on the one hand, and points in New England on the other.

Grounds for relief. Competition with motor carriers.

FSA No. 31063: *Magnesite, Import, from Mobile, Ala., to Norton, Ala.* Filed by R. E. Boyle, Jr., for interested rail carriers. Rates on magnesite, dead burned and/or calcined, carloads, from Mobile, Ala., to Norton, Ala.

Grounds for relief: Rail competition and circuity.

Tariff: Supplement 102 to Agent Spaninger's I. C. C. 1369.

FSA No. 31064. *Liquefied Petroleum Gas-Thackerville, Okla., to the South.* Filed by F C. Kratzmeir, Agent, for interested rail carriers. Rates on liquefied petroleum gas, in tank-car loads from Thackerville, Okla., to points in southern territory.

Grounds for relief: Circuity.

Tariff: Supplement 41 to Agent Kratzmeir's I. C. C. 4118.

FSA No. 31065: *Rough Lumber from Burney, Calif., to Reno, Nev.* Filed by J. P Haynes, Agent, for interested rail carriers. Rates on lumber (rough as from the log) in carloads from Burney, Calif., to Reno, Nev.

Grounds for relief: Rail competition and circuity.

FSA No. 31066: *Various Commodities from Illinois Freight Association territory.* Filed by R. G. Raasch, Agent, for other interested rail carriers. Rates on various commodities, in carloads from points in I. F A. territory to points in the South.

Grounds for relief: Carrier competition and circuity.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F. R. Doc. 55-7320; Filed, Sept. 9, 1955; 8:46 a. m.]

OFFICE OF DEFENSE MOBILIZATION

[ODM (DPA) Request No. 30—DPAV-28 (a)]

NOTICE OF WITHDRAWAL OF REQUEST TO PARTICIPATE IN THE ACTIVITIES OF A J-47 PRODUCTION COMMITTEE

The J-47 Production Committee formed pursuant to section 708 of the Defense Production Act of 1950, as amended, has been deactivated and accordingly the request published in 17 F R. 3216, April 11, 1952, to participate in the formation and activities of that Committee in accordance with the voluntary plan entitled "Plan for the

Formation of a J–47 Production Committee" transmitted to and accepted by those companies listed in the above cited FEDERAL REGISTER, has been withdrawn.

The immunity from prosecution under the Federal antitrust laws and the Federal Trade Commission Act heretofore granted to those companies has been likewise withdrawn, except as to those acts performed or omitted by reason of the request which occurred prior to that withdrawal.

(Sec. 708, 64 Stat. 818, as amended; 50 U. S. C. App. Sup. 2158; Executive Order 10480, August 14, 1953, 18 F. R. 4939)

Dated: September 8, 1955.

ARTHUR S. FLEMING,
Director

[F. R. Doc. 55–7355; Filed, Sept. 8, 1955; 2:15 p. m.]

[ODM (DPA) Request No. 54—DPAV–52 (a)]

NOTICE OF WITHDRAWAL OF REQUEST TO PARTICIPATE IN THE ACTIVITIES OF AN F–84 PRODUCTION COMMITTEE

The F–84 Production Committee formed pursuant to section 708 of the Defense Production Act of 1950, as amended, has been deactivated and accordingly the request published in 19 F. R. 2916, May 19, 1954, to participate in the formation and activities of that Committee in accordance with the voluntary plan entitled "Plan for the Formation of an F–84 Production Committee" transmitted to and accepted by those companies listed in the above cited FEDERAL REGISTER, has been withdrawn.

The immunity from prosecution under the Federal antitrust laws and the Federal Trade Commission Act heretofore granted to those companies has been likewise withdrawn, except as to those acts performed or omitted by reason of the request which occurred prior to that withdrawal.

(Sec. 708, 64 Stat. 818, as amended; 50 U. S. C. App. Sup. 2158; Executive Order 10480, August 14, 1953, 18 F. R. 4939)

Dated: September 8, 1955.

ARTHUR S. FLEMMING,
Director.

[F. R. Doc. 55–7356; Filed, Sept. 8, 1955; 2:15 p. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70–3408]

NEW ENGLAND ELECTRIC SYSTEM AND NEW ENGLAND POWER COMPANY

NOTICE OF PROPOSED ISSUANCE AND SALE OF ADDITIONAL COMMON STOCK BY SUBSIDIARY TO PARENT

Notice is hereby given that New England Electric System ("NEES"), a registered holding company, and its public utility subsidiary, New England Power Company ("NEPCO"), have filed a joint application pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6 (b), 9 (a) and 10 of the act as applicable to the proposed transactions, which are summarized as follows:

NEPCO will issue and sell to NEES, sole owner of NEPCO's presently outstanding 2,145,135 shares of common stock ($20 par value), 333,333 additional shares at the price of $30 per share, or an aggregate cash consideration of $9,999,900. NEES expects the required funds will be available in part from payment of indebtedness by its subsidiaries and in part from treasury funds. NEPCO proposes to apply said funds to the payment of short-term bank loans (now $5,500,000, with an anticipated increase prior to the receipt of the said funds) and the balance, if any, to pay for capitalization expenditures or to reimburse its treasury therefor. NEPCO and NEES desire to consummate the transactions in order to finance permanently capitalizable additions to NEPCO's plant through the issuance of equity securities.

It is estimated that NEPCO's total expenses in connection herewith will be $12,200, including original issue stamp taxes of $7,333, State filing fee of $3,333, local counsel fees of $300, and miscellaneous expenses of $1,234; and that NEES' total expenses will be $300.

The filing states that the issue and sale by NEPCO of said common stock are subject to the jurisdiction of the Department of Public Utilities of Massachusetts, the Public Utilities Commission of New Hampshire, and the Public Service Commission of Vermont; that no further approvals by State commissions are required, and that no Federal commission other than this Commission has jurisdiction over the proposed transactions.

It is requested that the Commission's order herein be made effective upon issuance.

Notice is further given that any interested person may, not later than September 20, 1955, at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, said application, as filed or as amended, may be granted as provided in Rule U-23 of the Rules and Regulations promulgated under the act, or the Commission may take such other action as it may deem appropriate under the circumstances.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 55–7325; Filed, Sept. 9, 1955; 8:47 a. m.]